SUBJECT No. 59.

Modification of rules *re*, the signing of *vakalatnama* before lawyers.

Mr. B. Narasinga Rao, Seringapatam taluk.

Summary of discussion.—The circular of the Chief Court directing that *vakalatnamas* should contain a certificate of the lawyer to the effect that it was signed by the client before him and that the client was personally known to him requires to be modified as this practice causes great inconvenience to clients and lawyers alike. It is therefore prayed that a certificate from a lawyer that it is signed before him and that he believes him to be the party may be considered sufficient.

Messrs. S. R. Balakrishna Rao, C. Subba Rao and H. Krishnappa, supported the proposal.

Reply of Government.—Noted.

SUBJECT No. 60.

Mileage and batta to witnesses in criminal courts.

Messrs. M. Subba Rao and Syed Rahim Sab, Heggaddevankote taluk.

Summary of discussion.—Government servants summoned as witnesses to criminal courts are paid mileage and batta by the parties, while others are not paid any thing at all. It is prayed that they may also be paid mileage and batta or what are usually given in civil courts, or the payment of the same to Government servants may be discontinued.

Reply of Government.—The rules on the subject were explained to the members and as Mr. Linge Gowda instanced a case in which a Police Jamadar, who was a witness was paid Rs. 15 as batta, he was told that the records of the case would be called for and examined.

SUBJECT No. 61.

Batta to witnesses.

Messrs. Revanasiddayya, Gurulingappa and Halappa, Honnali taluk.

Summary of discussion.—The rule requiring a second deposit of batta to witnesses, whether the previously deposited amount has been spent or not, works hard upon the parties. The central nazir should be required to certify on each process whether the deposited amount has been spent or not. If it is ascertained that the batta has not been spent, the party will simply pay the process fee and request that the unspent batta may be utilised.

Reply of Government.—Proposals have been called for from the Chief Court.

SUBJECT No. 62.

Recovery of institution fees on account of pauper suits in civil courts at the time of compromise.

Mr. Parameswariah, Mandya taluk.

Summary of discussion.—It is prayed that institution fees on account of pauper suits may be ordered to be recovered in civil courts in cases where the suit is settled by means of compromise at the time of such compromise. The present system of recovery of such amounts by the Revenue department is a failure and the Government revenue suffers a good deal in such cases.

Reply of Government.—It was pointed out to the member that recoveries in such cases could be made only through the civil courts.